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82734-0 No. 82734-0 (consol. w/ 82803-2)

SUPREME COURT OF THE STATE OF WASHINGTON

BAINBRIDGE ISLAND POLICE GUILD, et al.,

Respondents,

 ν .

CITY OF PUYALLUP, a municipal corporation

Respondent

v.

KIM KOENIG, an individual, LAWRENCE KOSS, an individual, and ALTHEA PAULSON *Appellants*.

BRIEF OF AMICUS CURIAE WASHINGTON COALITION FOR OPEN GOVERNMENT

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ORIGINAL

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Reconciling the Disclosure of Nonconviction Information
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Privacy Acts, 79 Wash. L. Rev. 693, 700 (2004)3, 6, 8
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I. IDENTITY AND INTEREST OF AMICUS

The Washington Coalition for Open Government ("WCOG"), a Washington nonprofit organization, is an independent, nonpartisan organization dedicated to promoting and defending the public's right to know in matters of public interest and in the conduct of the public's business. WCOG's mission is to help foster open government processes, supervised by an informed and engaged citizenry, which is the cornerstone of democracy. WCOG represents a cross-section of the Washington public, press, and government. Its board of directors exemplifies this diversity. A description of WCOG's board of directors is attached to WCOG's Motion For Leave to File Brief of Amicus Curiae as an Appendix.

II. STATEMENT OF THE CASE

WCOG relies on the facts set forth in the parties' briefs.

III. ISSUE TO BE ADDRESSED BY AMICUS CURIAE

Whether the Criminal Records Privacy Act, Chapter 10.97 RCW ("CRPA"), applies to requests for investigative records under the Public Records Act, Chapter 42.56 RCW ("PRA").

¹ WCOG defers to the amicus briefs of various media organizations on the other issues in this case.

IV. ARGUMENT

Respondents Bainbridge Island Police Guild and Steven Cain argue, *inter alia*, that the investigative records at issue in these consolidated cases are exempt from public disclosure under CRPA. *Resp. Br.* (82374-0) at 23-25; *Resp. Br.* (82803-2) at 25-27. Respondents erroneously assume that ordinary investigative records constitute "criminal history record information" for purposes of RCW 10.97.030(1). *Id.* That assumption is based on the erroneous analysis of CRPA by the Court of Appeals in *Hudgens v. City of Renton*, 49 Wn. App. 842, 844-45, 746 P.2d 320 (1988). *Id.*

Contrary to *Hudgens*, CRPA only applies to a narrowly-defined class of records expressly defined as "criminal history record information," RCW 10.97.030(1), which does *not* include ordinary investigative records. This Court should reject the respondents' argument, and overrule *Hudgens*.

CRPA was enacted in 1977 "to provide for the completeness, accuracy, confidentiality, and security of criminal history record information..." RCW 10.97.010. CRPA limits the disclosure of a narrow class of records defined as "criminal history record information." That term is expressly and narrowly defined:

(1) "Criminal history record information" means

information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including acquittals by reason of insanity, dismissals based on lack of competency, sentences, correctional supervision, and release.

The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's *record* of involvement in the criminal justice system as an alleged or convicted offender... (Emphasis added).

RCW 10.97.030(1). It is important to note that the word 'record' is singular. This term refers to a compiled 'record' of a particular person's involvement in the criminal justice system. This narrow class of records is traditionally known as "rap sheets." Lynette Meachum, Private Rap Sheet or Public Record? Reconciling the Disclosure of Nonconviction Information under Washington's Public Disclosure and Criminal Records Privacy Acts, 79 Wash. L. Rev. 693, 700 (2004). The correct, narrow definition of "criminal history record information" is confirmed by companion legislation enacted at the same time as CRPA:

"Criminal history record information" includes, and shall be restricted to identifying data and information recorded as the result of an arrest or other initiation of criminal proceedings and the consequent proceedings related thereto. "Criminal history record information" shall not include intelligence, analytical, or investigative reports and files.

RCW 43.43.705 (emphases added).² Because investigative records and police reports are not "criminal history record information," such records cannot be "nonconviction data" for purposes of RCW 10.97.030(2). Consequently, the disclosure of investigative records is not prohibited by RCW 10.97.080 or any other provision of CRPA.³

The Attorney General recognizes that investigative records are governed by the PRA and *not* CRPA.

A. Criminal Records Privacy Act (Chapter 10.97 RCW)

This act deals with disclosure of "criminal history record information," which is defined as information contained in records collected on individuals by criminal justice agencies, other than courts. These documents include identifiable descriptions and records of arrests, detentions, indictments, and criminal charges, and any dispositions, including sentences, correctional supervision, and release. "Criminal history record information" is divided into "conviction data," which may be disseminated freely, and "nonconviction data," which may be disclosed to other criminal justice agencies; to implement a statute, ordinance, executive order, or court rule; to those under contract with a criminal justice agency to provide services related to the administration of criminal justice; or for research with an

² RCW 43.43.705 *et seq.* is the companion legislation to the CRPA. That statute establishes the Washington State Patrol as the central clearinghouse for 'criminal history record information' in Washington. The statutory language quoted above was included in the original legislation enacting the CRPA. Law of 1977, 1st Ex. Sess., Ch. 314, § 14.

³ It is important to note that any "nonconviction data" protected by CRPA would be exempt from disclosure under the Public Records Act, Chap. 42.56 RCW. In addition to specific exemptions set forth in the PRA itself, the PRA includes an exemption for any "other statute which exempts or prohibits disclosure of specific information or records." RCW 42.56.070(1). One such "other statute" is CRPA. *See Limstrom v. Ladenburg*, 136 Wn.2d 595, 604, 615-16, 963 P.2d 869 (1998).

agreement limiting the use of the data. Investigative information does not fall within the definition of "criminal history record information." Release of police investigative information is covered by the PRA. See RCW 42.56.240(1)... (Emphasis added).

Wash. Atty. Gen., Open Government Internet Manual, §2.3(A).4

In *Hudgens*, *supra*, the Court of Appeals erroneously held that access to ordinary police reports was restricted by CRPA. In that case a reporter requested access to police reports relating to a misdemeanor arrest four years earlier. The suspect had been found not guilty. The agency refused access, and the trial court upheld the agency's assertion that access was precluded by CRPA. *Hudgens*, 49 Wn. App. at 843-44. On appeal, the Court of Appeals concluded that CRPA allowed a requester to view but not copy the police reports. 49 Wn. App. at 844-45.

The *Hudgens* court erroneously assumed, without any authority or analysis, that police reports fall within the scope of CRPA. 49 Wn. App. at 844. Based on this erroneous assumption, the Court of Appeals further held the reports were "nonconviction information" because the defendant had been acquitted, and that CRPA prevented copying such reports under the PRA. 49 Wn. App. at 844-45. But the *Hudgens* court never even

⁴ Available at: http://www.atg.wa.gov/OpenGovernment/InternetManual/Chapter2.aspx (last visited October 1, 2010).

cited, much less analyzed, CRPA's definition of "criminal history record information," which determines whether records are governed by CRPA.⁵

In light of RCW 43.43.705 and the statement by the Attorney General, the analysis of CRPA in *Hudgens* is clearly wrong. CPRA only applies to a narrow class of records defined as "criminal history record information." RCW 10.97.030(1). These records are traditionally called "rap sheets." Meachum, 79 Wash. L. Rev. at 700. Police reports, arrest records, and other types of investigative records are *not* "criminal history record information." RCW 43.43.705.

The incorrect application of CRPA in *Hudgens* significantly interferes with access to investigative records under the PRA. If *Hudgens* were correct, CRPA would require agencies to withhold huge amounts of investigative information from the public. Under *Newman v. King County*, 133 Wn.2d 565, 573-74, 947 P.2d 712 (1997), records of open investigations are categorically exempt from public disclosure. Such records only become available after a suspect is arrested or a case is referred to the prosecutor. *Cowles Publ'g v. Spokane Police Dep't*, 139 Wn.2d 472, 987 P.2d 620 (2000). If CRPA applied to investigative

⁵ It is important to note that *Hudgens v. City of Renton*, 49 Wn. App. 842, 746 P.2d 320 (1988), did not consider whether records exempt under CRPA would also be automatically exempt under the PRA. The "other statute" exemption in the PRA was not enacted until 1987, the same year that *Hudgens* was decided by the Court of Appeals. RCWA 42.56.070(1); Laws of 1987, ch. 403, § 3.

records, such records would only be available under the PRA while a case was pending unless the defendant is found guilty. RCW 10.97.030(2). *Hudgens* leaves only a small window in which investigative records are available if a defendant is acquitted or charges are dropped. As a consequence of *Newman*, that window of transparency disappears completely if a matter is never referred to a prosecutor in the first place.

As interpreted in *Hudgens*, CRPA would prevent public scrutiny in situations where such scrutiny is most essential to open and accountable government — cases where law enforcement personnel or other public officials are investigated for criminal activity but not prosecuted or convicted. In such cases the public has both the need and the right to know whether investigations have been botched or whether public officials have received favorable treatment from law enforcement.

Despite numerous attempts to revisit and overturn *Hudgens*, that case has managed to evade further review for more than 20 years. In *Limstrom v. Ladenburg*, 136 Wn.2d 595, 616 n.10, 963 P.2d 869 (1998), this Court cast doubt on *Hudgens* by expressly declining to say that *Hudgens* was correctly decided. Two years later, this Court granted review in *Beltran v. DSHS*, 98 Wn. App. 245, 259-60, 989 P.2d 604, *review granted*, 140 Wn.2d 1021 (2000), which cited *Hudgens* but did not explain what type of "nonconviction information" was at issue. But

Beltran was settled, and this Court never heard that case. Meachum, 79 Wash. L. Rev at 714.

During that time, many local agencies have relied on *Hudgens* to wrongfully withhold nonexempt public records. The body of PRA case law demonstrates that investigative records, such as police reports, are one of the most commonly requested types of public records. The time has come for the Court to overrule *Hudgens* and to restore full public access to investigative records under the PRA.

V. CONCLUSION

This Court should reject the respondents' argument that the investigative records are exempt under CRPA. This Court should expressly overrule *Hudgens*, and hold that investigative records are *not* "criminal history record information" for purposes of CRPA.

RESPECTFULLY SUBMITTED this 15th day of October, 2010.

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CERTIFICATE OF SERVICE

The undersigned certifies that on 15th day of October, 2010, true and correct copies of the attached *Brief of Amicus Curiae* and *Motion for Leave to File Brief of Amicus Curiae* were served on each of the parties below as follows:

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APPENDIX

WASHINGTON COALITION FOR OPEN GOVERNMENT BOARD MEMBERS

William Crittenden, Attorney at Law

William Crittenden is an attorney in private practice. Mr. Crittenden represents parties in litigation and appeals involving freedom of speech and access to public records. He is also Of Counsel to Groff Murphy, PLLC where he represents developers, builders, owners and other interested parties in litigation and in administrative and legislative land use matters. Mr. Crittenden has represented WCOG and the League of Women Voters as amicus curiae in cases involving public records and voting rights. Before entering private practice Mr. Crittenden served as a law clerk to Chief Justice Barbara Durham of the Washington Supreme Court and Judge William W. Baker of the Court of Appeals. Mr. Crittenden is a 1992 graduate of the University of Washington School of Law.

George Erb, Managing Editor, Puget Sound Business Journal

George Erb is editor of the Puget Sound Business Journal. He has worked as a reporter and editor at daily and weekly newspapers in Washington state since 1983. Mr. Erb has a Bachelors degree in History from Hanover College and a Master's degree in Journalism from the University of Oregon. He is a past chapter president for the Society of Professional Journalists a member of the state Bench-Bar-Press Committee. Mr. Erb is also the editor of two editions of "Access; a guide to government information," an open-government manual published by the Society of Professional Journalists.

Mike Fancher, Former Executive Editor, The Seattle Times *Vice-President*

Mike Fancher retired from The Seattle Times in 2008 after 20 years as executive editor. Fancher served as a 2008-2009 Donald W. Reynolds Fellow in the Missouri School of Journalism. He received a B.A. degree in journalism from the University of Oregon in 1968 and a Masters degree in Communication from Kansas State University in 1970. He received his MBA degree from the University of Washington in 1986.

Fancher currently serves as chairman of the ethics committee of the American Society of News Editors. He serves on an advisory committee to the Fordham University Graduate School of Business and is a member

of the board of directors of the University of Oregon Alumni Association. In 2009, he was a consultant to the Knight Foundation Commission on the Information Needs of Communities in a Democracy and to the Aspen Institute's Forum on Communications and Society. Also in 2009, the Western Washington Chapter of the Society of Professional Journalists presented Fancher its award for Distinguished Service to Journalism. He was inducted into the University of Oregon's Journalism Hall of Achievement in 2002.

Ruth Gordon, Jefferson County Clerk

Ruth Gordon is the elected County Clerk and ex-officio Clerk of Superior Court in Jefferson County and holds the Legislative Star award for 2007 from the Washington Association of County Clerks. She represents WSACC on the Board for Judicial Administration Best Practices Committee, is the Vice-Chair and past Chair of the Jefferson County Law and Justice Council, and serves as a Trustee-at-Large on the Washington Association of County Officials Board. Prior to entering public office she was a counselor in private practice, an online producer for Oxygen Media, and community activist. A founding member of the Port Townsend chapter of the League of Women Voters, she currently serves as the Democratic State Committeewoman for Jefferson County. She graduated summa cum laude Phi Beta Kappa from Purdue University and completed graduate studies in curatorial science at the University of Minnesota.

Rita Hibbard, Executive Director, Investigate West

As executive director and editor of InvestigateWest, Rita Hibbard is working to create a new collaborative model for investigative reporting. Her team creates stories that are produced across platforms, for distribution on its Web site and to online, print and broadcast media partners. Her team maintains an active Web site daily, as well as being engaged in producing long-term investigative work that is focused on the Pacific Northwest and West.

Hibbard also served as assistant managing editor for news at the Seattle Post-Intelligencer before the paper ceased publication in 2009. At that time, she also was editor of its award-winning investigative team, and prior to that held government, social issues, business and public policy editing and reporting positions. She is a 2010 Knight-McCormick Leadership Institute Fellow.

Anna Jancewicz, Teamsters Local Union No. 117

Anna Jancewicz is Government Relations Coordinator and legal counsel for Teamsters Local Union No. 117. Teamsters 117 is a 16,000 member labor organization that represents both public and private sector employees in collective and political action with the goal of protecting and expanding member rights, wages, benefits and working conditions. In her capacity as the Government Relations Coordinator, Anna coordinates the Union's state advocacy and lobbying efforts. In her legal capacity, Anna represents the Union in all aspects of labor law, including grievance arbitration, NLRB and PERC proceedings and litigating matters on behalf of the Union. Prior to joining Teamsters 117, Anna worked as an attorney focusing her practice on employment discrimination, bankruptcy, lender liability and commercial litigation. Anna received her undergraduate degree in Business Administration from Eastern Washington University in 1999 and graduated cum laude from Gonzaga University School of Law in 2002.

Scott Johnson, American Civil Liberties Union of Washington

Scott A.W. Johnson is a trial lawyer and focuses his practice on complex business and commercial litigation. He has served for many years as a cooperating attorney with the ACLU of Washington for which he has handled a number of public records cases. He also has spoken about public records and open meetings to a number of community groups. He obtained his law degree, magna cum laud, from American University, Washington College of Law in 1985 where he was a Notes and Comments Editor of the American University Law Review. He received his B.A. in Business Administration (Accounting) from the University of Washington in 1980.

Rep. Lynn Kessler, Washington State Representative, Majority Leader

Lynn Kessler is serving in her 16th year in the Washington State House, and her tenth year as Majority Leader. In addition to her Leadership duties, she sits on the House Appropriations and Rules committees, the Washington State Arts Commission, and is the only state legislator appointed to the National Assembly of State Arts Agencies Board of Directors. Lynn is also a member of the Grays Harbor Economic Development Council Board and the Legislative Committee on Economic Development and International Relations. She has served on numerous committees and boards in her community, including ten years as a trustee at Grays Harbor Community College, where she is a past chair, and was

the first female president of the Aberdeen Rotary. Lynn is a mother of four and grandmother of Kyle, Ryan, and Arita.

Christopher K. Leman, Seattle Community Council Federation Chair, Board Development Committee

Christopher K. Leman is a political scientist (Ph.D., Harvard University) who writes and consults on public governance and policy issues and nonprofit management. He previously taught at Brandeis University and the University of Washington's Evans School of Public Affairs, and in the UW Extension School. Leman's writings have appeared with a wide range of university presses, institutes, journals and newspapers. His volunteer service has included many years as an officer or board member of neighborhood groups, including the Seattle Community Council Federation.

Barbara Levette, League of Women Voters of Washington Biography coming soon.

Jason Mercier, Treasurer

Jason Mercier is Director of the Center for Government Reform for the Seattle-based Washington Policy Center. Among the Center's priorities is public records reform. Prior to joining WPC, Jason worked on public records issues for the Evergreen Freedom Foundation. He also serves as a voting member on the American Legislative Exchange Council's Tax and Fiscal Policy Task Force and is a contributing editor of Heartland's Budget Tax News. He received a B.A. in Political Science from Washington State University. Jason and his wife Kristen make their home in Lacey where he serves as president of their homeowner's association.

Catherine Moore, Attorney, Former Seattle City Clerk Biography coming soon.

Toby Nixon, Former State Representative, 45th District, Senior Standards Program Manager, Microsoft Corporation *President; Chair, Government Committee*

Toby Nixon served in the Washington State House of Representatives from 2002 through 2006. He was ranking member of the State Government Operations and Accountability Committee, which has responsibility for overseeing Washington's open government and election laws. Toby continues to be committed to preserving and restoring trust in government through openness and accountability. Toby was the 2006 recipient of the "Freedom's Light Award" from the Washington

Newspaper Publishers Association, in recognition of his work to protect and advance First Amendment interests in Washington. He has been previously nominated for the Washington Coalition for Open Government's "James Madison Award." Toby works as standards program manager in the Windows group at Microsoft, focusing on networked devices and "smart home" technology, with particular interest in security and privacy issues. He has worked in the computer field for over 30 years, and holds five patents related to computer communications technology. He serves in leadership roles in several local non-profit organizations and industry standards-setting groups. He, his wife Irene, and their five children make their home in Kirkland.

David Norman, Attorney at Law

David M. Norman is an attorney that worked as an associate attorney at Allied Law Group in Seattle between 2008 and 2010. Allied is a boutique law firm that is involved primarily in enforcing the public's interest in open government matters, including under the Public Records Act, the Open Public Meetings Act, the open courts provisions in the Washington State Constitution and local court rules, and also various issues related to media law. He graduated magna cum laude from Seattle University School of Law, where he served as a Research and Technical Editor for the school's Law Review from 2007-08. He also served as an extern for the Honorable Marsha J. Pechman at the U.S. District Court for the Western District of Washington in 2008. He has been involved in several public records, open public meetings, and constitutional open court record cases, including multiple cases at the appellate and State Supreme Court levels.

Sam Pace, Association of REALTORS® Treasurer

Sam Pace is a REALTOR® with Executive Real Estate and a contracted Housing Specialist for the Seattle-King County Association of REALTORS®. He is a Past President of the Washington REALTORS® and has been honored as King County's REALTOR® of the Year. Mr. Pace served as the founding chairman of the South Sound Chambers of Commerce Legislative Coalition and has served on the boards of more than a dozen community and professional organizations. Prior to his career in real estate Mr. Pace was a partner in the Springfield, Oregon, law firm of Harms, Harold, Leahy & Pace where a significant portion of his practice involved litigation and municipal law. He received his bachelor's degree (double major in urban and regional government, and political

science) and MBA from Willamette University, and is a graduate of the University of Oregon School Of Law.

Gerry Pollet, Secretary, Executive Director & legal counsel, Heart of America Northwest

Secretary; Chair, Revenue Strategy Committee

Gerry Pollet is Executive Director and legal counsel for Heart of America Northwest, a 16,000 member citizens' group dedicated to "advancing our region's quality of life." Heart of America Northwest is the region's largest citizens' watchdog group for the cleanup of the Hanford Nuclear Reservation, the most contaminated area in North America. Gerry also serves as Executive Director and general counsel for Legal Advocates for Washington, which provides legal advice on non-profit; open government (public records / FOIA / open meetings); electoral; and, hazardous waste law to non-profit organizations. Gerry chaired the "Protect Washington" campaign for Initiative 297 in 2004, to stop Hanford from being used as a National Radioactive Hazardous Waste Dump and to end dumping of waste in unlined trenches. Gerry has been honored as the "National Grassroots Activist of the Year" by the Alliance for Nuclear Accountability; and, the 2006 Washington Physicians for Social Responsibility Paul Beeson Peace Award. Gerry was involved in drafting and passing Washington laws to protect state and local government whistleblowers.

Mike Reitz, Evergreen Freedom Foundation

Michael Reitz is general counsel of the Evergreen Freedom Foundation, where he oversees EFF's legal affairs. He is a member of the Washington and California Bars and is admitted to practice before the U.S. Supreme Court and the U.S. Court of Appeals for the Ninth Circuit. He is a coauthor of To Protect and Maintain Individual Rights, a reference guide to the Declaration of Rights in the Washington Constitution, and he maintains the Supreme Court of Washington Blog. Michael is a graduate of the Oak Brook College of Law.

Patience Rogge, Private Citizen

Chair, Outreach & Membership Committee

Patience Rogge holds a Bachelor of Arts in American Government and a Master of Library Science from the University of California, Berkeley. She has worked in academic, school and public libraries in Delaware, California, and Saudi Arabia. She has served on the Jefferson County Rural Library District Board of Trustees, the boards of the Washington Library Association, the Pacific Northwest Library Association, and

Friends of the Washington State Library. She has chaired the Washington Friends, Foundations and Trustees Association and the Grassroots! interest group of the Washington Library Association. In 2001, she received the Trustee Award from the Washington Library Association, in 2005, she received the Association's Honorary Lifetime Award and was named to the American Library Association's National Advocacy Honor Roll. In addition to her library-related activities, she has been active in environmental, political and educational efforts in California and Washington. She currently directs the Fort Worden Oral History Program at Fort Worden State Park Conference Center in Port Townsend and is vice president of the Friends of Fort Worden.

Brian Sonntag, Washington State Auditor

Brian Sonntag is serving his fifth term as Washington State Auditor. He is the state's eighth elected auditor. He has had a long career in public service. Brian was elected Pierce County Clerk in 1978 at age 26 and served eight years in that office. He was elected twice to the position of County Auditor, an office his father held for 22 years. Brian held that position until his election as State Auditor in 1992.

He is an outspoken advocate of strong sunshine laws that give citizens access to public records and public meetings. He has received the Washington Newspaper Publishers Association's Freedom's Light Award for his advocacy. And this year, he earned the prestigious James Anderson Award by the Washington Coalition for Open Government for his tireless efforts to keep government's doors wide open to citizens.

During his tenure as auditor, Brian's office has received national recognition for its efforts to detect and prevent fraud, for employing innovative audit techniques, and for executing its new authority to conduct performance audits of state and local governments.

Duane Swinton, Witherspoon Kelley Davenport & Toole PS Chair, Legal Committee

Duane M. Swinton is a partner at Witherspoon, Kelley, Davenport & Toole law firm in Spokane, where he has practiced for 29 years. Duane specializes in Media law and has argued a dozen media cases before both the Washington and Idaho Supreme Courts on such issues as access to public records and court documents, defamation and prior restraint. He is an adjunct instructor at Gonzaga Law School in media law. A 1977 graduate of the University of Iowa law school, Duane also has a B.A.

degree from Iowa in journalism and has several years experience as a newspaper reporter.

Lucille Walls, Executive Director, Alliance of People with disabilities Since March of 2009 Ms. Walls has worked as the Executive Director for the Alliance of People with disAbilities. The organization provides an array of services for individuals living with a disability in King County. Prior to accepting this position, Lucille served as the Executive Director of the Ohio Governor's Council on People with Disabilities, as Lead Epidemiologist for a consortium of twelve Indian reservations in California, and as Executive Director of the Community Access Center, a non-profit independent living center.

Ms. Walls completed her Bachelor of Arts in Social Work at Michigan State University. She then attended The University of Michigan where she earned a Master of Arts in Social Work with an emphasis in Community Organization and Social Policy. At the University of South Carolina she completed a Master of Science in Public Health with a focus on Epidemiology, Injury and Violence.

Bill Will, General Manager, Washington Newspaper Publishers Association

Chair, Media Committee

Bill Will is the General Manager of Washington Newspaper Publisher Associations. He has worked for Washington Newspaper Publishers Association since 1997, where he helps reporters and editors with access and legal questions and monitors First Amendment issues in the Legislature and the courts. Will has more than 20 years of experience in the newspaper business. After graduating from the University of Idaho in 1982, he worked as a reporter at the Newport Miner and worked briefly as sports editor of the Columbia Basin Herald in Moses Lake, Washington. From 1984-88 he was a reporter, copy editor, and later assistant managing editor at The Daily Idahonian/Pullman Daily News (now the Moscow-Pullman Daily News). In 1988-89, he was managing editor of The Sparks Tribune in Sparks, Nev. and helped convert the newspaper from twiceweekly to daily publication. From 1989-1995 he worked as a copy editor at Outdoor Empire Publishing Company in Seattle. He worked as a contract employee at Microsoft Corp. for two years on the launch of Microsoft Network News and MSNBC on the Internet before joining WNPA.

Additional information is available at www.washingtoncog.org.